

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOSE S. PEREZ,

Defendant.

8:22CR139

ORDER

This matter came before the Court for hearing on defendant, Jose S. Perez's Motion to Continue Trial [105] and the government's oral objection. Joseph P. Meyer and Crystal C. Correa appeared on behalf of the government. A. Michael Bianchi appeared on behalf of the defendant. For the reasons set forth in the motion and on the record, the undersigned magistrate judge finds good cause to grant the continuance. The government's objection to the motion to continue is overruled. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [105] is granted, as follows:

1. The jury trial now set for August 22, 2023, is continued to **October 31, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 31, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would unreasonably deny the defendant continuity of counsel, or would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted.**

DATED: August 17, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge